

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Fernandez et al. Art Unit: Not yet assigned  
Application No.: Not yet assigned Examiner: Not yet assigned  
Filed: November 14, 2001  
Title: LIBRARIES OF EXPRESSIBLE GENE SEQUENCES

Commissioner for Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Sir:

In connection with the Patent Application filed herewith, which is a Continuation Application of U.S. Serial No. 09/285,386, filed April 2, 1999, entry of the amendments and consideration of the following remarks respectfully are requested.

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**ALDON GRIFFIS**

(TYPED OR PRINTED NAME OF PERSON MAILING PAPER)

*Aldon Griffis*

(SIGNATURE OF PERSON MAILING PAPER OR FEE)

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Attorney Docket No.: INVIT 1140-3

## **I. AMENDMENTS**

### **A. In the Specification**

Please delete the paragraph at page 1, lines 4-6, and insert the following paragraph therefor:

--This application is a continuation of U.S. Serial No. 09/285,386, filed April 2, 1999, which claims the benefit under 35 U.S.C. § 119(e) of U.S. Serial No. 60/096,981, filed August 18, 1998, and U.S. Serial No. 60/080,626, filed April 3, 1998, the entire contents of each of which is incorporated herein by reference.--

### **B. In the Claims**

Please cancel claims 2 to 40.

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## II. REMARKS

The application filed herewith is a Continuation of U.S. Serial No. 09/285,386, filed April 2, 1999. Upon entry of the present amendment, claim 1 will be pending.

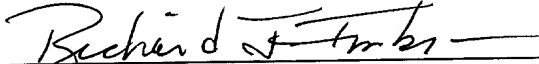
It is noted that a Notice to Comply with Requirements for Patent Applications containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures was mailed June 14, 2001, in connection with U.S. Serial No. 09/285,386. A Petition for a four month extension of time was filed November 14, 2001, in U.S. Serial No. 09/285,386. As such, the subject application is being filed during pendency of priority application U.S. Serial No. 09/285,386.

The amendment to the specification merely updates the priority information and, therefore, does not add new matter. The amendment to the claims merely cancels claims and, therefore, does not add new matter. Accordingly, entry of the amendments respectfully is requested.

The Examiner is invited to contact Applicants' undersigned representative if there are any questions relating to this application.

Respectfully submitted,

Date: November 14, 2001

  
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